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Practitioner's Docket No. 1956/126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael P. Wagner

Application No.: 09/480,390

Group No.: 2172

Date Filed: 01/11/2000

Examiner: To, B.

For: System, Device, and Method for Providing Mutual Exclusion for Computer System Resources

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
2172**

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Technology Center 2100

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

06/24/2004 CNGUYEN 00000079 194972 09480390

01 FC:1251

110.00 DA

Date: June 21, 2004

Signature 

Jeffrey T. Klayman

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$110.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit Fee
Total	12	Minus	40	= 0	x \$18 =	\$0
Indep	3	Minus	4	= 0	x \$86 =	\$0
First Presentation of Multiple Dependent Claim					+ \$290 =	\$0
					Total Addit. Fee	\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$110.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

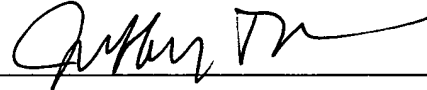
FEE DEFICIENCY

6.

If any additional extension and/or fee is required, charge Account No. 19-4972.

If any additional fee for claims is required, charge Account No. 19-4972.

Date: June 21, 2004



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01956/00126 318273.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael P. Wagner

Att'y Docket: 1956/126

Serial No.: 09/480,390

Art Unit: 2172

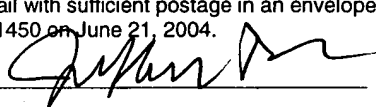
Filed: January 11, 2000

Examiner: To, B.

Title: SYSTEM, DEVICE, AND METHOD FOR PROVIDING MUTUAL
EXCLUSION FOR COMPUTER SYSTEM RESOURCES

CERTIFICATE OF MAILING

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 21, 2004.


Jeffrey T. Klayman

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 28 2004

Technology Center 2100

AMENDMENT

Dear Sir:

In response to the Office action of February 24, 2004, please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on
page 2 of this paper.

Remarks begin on page 7 of this paper.